



Shire of  
YILGARN

*“good country for hardy people”*

# *Minutes*

## *Ordinary Meeting of Council*

*18 June*

**2020**

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## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 4.05pm

## 2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

## 3. ATTENDANCE

Presiding Member	Cr W Della Bosca	President
Members	Cr B Close Cr J Cobden Cr G Guerini Cr P Nolan Cr L Rose Cr S Shaw	Deputy President
Council Officers	P Clarke C Watson R Bosenberg G Hindmarsh Laura Della Bosca	Chief Executive Officer Executive Manager Corporate Services Executive Manager Infrastructure Executive Manager Regulatory Services Minute Taker
Apologies:	Nil	
Observers:	Mrs. Kay Crafter	
Leave of Absence:	Nil	

## 4. DECLARATION OF INTEREST

Nil

## 5. PUBLIC QUESTION TIME

Mrs. Kay Crafter posed the following question:-

**Question:** Could Council please write to or contact Minjar Gold requesting that its Management encourages its workers to be aware of the amount of rubbish falling off the back of vehicles etc., on the Marvel Loch/Southern Cross Road, as the road is heavily used and is starting to look very untidy.

**Response:** *The CEO advised that he would contact Minjar Gold but indicated that it should not only be Minjar Gold that is contacted, but also Indus Mining, as its workers also utilise a section of the Marvel Loch/Southern Cross Road.*

## 6. CONFIRMATION OF MINUTES

### 6.1 Ordinary Meeting of Council, Thursday 21 May 2020

**71/2020**

***Moved Cr Cobden/Seconded Cr Shaw***

***That the minutes from the Ordinary Council Meeting held on 21 May 2020 be confirmed as a true record of proceedings.***

**CARRIED (7/0)**

### 6.2 Westonia/Yilgarn Local Emergency Management Committee (LEMC), Thursday 4 June 2020

**72/2020**

***Moved Cr Guerini/Seconded Cr Rose***

***That the minutes from the Westonia/Yilgarn LEMC meeting held on 4 June 2020 be received.***

**CARRIED (7/0)**

### 6.3 Wheatbelt East Regional Organisation of Councils Inc. Board Meeting (WERO), Thursday 28 May 2020

**73/2020**

***Moved Cr Rose/Seconded Cr Cobden***

***That the minutes from the WERO Board meeting held on 28 May 2020 be received.***

**CARRIED (7/0)**

## 7. PRESENTATIONS, PETITIONS, DEPUTATIONS

Nil

## **8. DELEGATES' REPORTS**

Cr Wayne Della Bosca announced the following;

- Attended the WEROC Board Meeting via teleconference on the 28 May 2020
- Attended the Westonia/Yilgarn LEMC meeting on the 4 June 2020
- Attended the WEROC Strategic Planning meeting on the 11 June 2020

Cr Shaw announce the following;

- Attended the DHAC meeting on the 17 June 2020

Cr Cobden announce the following;

- Attended the HAY committee meeting on the 2 June 2020

Cr Close announce the following;

- Attended the WEROC Board Meeting via teleconference on the 28 May 2020
- Attended the Westonia/Yilgarn LEMC meeting on the 4 June 2020

## 9. OFFICERS REPORTS

### 9.1 Officers Report – Chief Executive Officer

#### 9.1.1 Wheatbelt East Regional Organisation of Councils Inc. (WEROC)

<b>File Reference</b>	<b>1.6.25.2</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To inform Council of the outcome the WEROC Inc., meeting held on Thursday, 28 May 2020 in which WEROC considered annual subscriptions from member Councils to the organisation in its 2020-2021 Budget.

#### Background

In 2019 WEROC became an incorporated body replacing the now defunct Wheatbelt Communities Inc (WCI). The purpose of incorporating WEROC and dispensing with WCI was to streamline the operations of WEROC and not require the need for two bodies undertaking the operations that one organisation could deal with.

#### Comment

At the WEROC Inc. meeting held on Thursday, 28 May 2020 the following resolution was passed in respect to member Councils contributions in the 2020-2021 financial year

***Moved Mr Raymond Griffiths Seconded Mr Darren Mollenoyux  
That the WEROC Inc. draft budget for the year ending 30 June 2021, as presented, with a general subscription for each Member Council set at \$12,000 (Ex. GST), be adopted***  
***CARRIED***

The \$12,000 contribution is that which was paid to both WEROC (\$10,000) and WCI (\$2,000) in the 2019-2020 financial year.

#### Statutory Environment

*Associations and Incorporations Act 2015.*

#### Strategic Implications

Shire of Yilgarn Strategic Community Plan 2016-2026 – Civic Leadership – Positive and Productive Regional Partnerships – Actively participate in regional forums including GECZ, WEROC, Wheatbelt Communities Inc., and CEACA.

### Policy Implications

Nil

### Financial Implications

Provision of the \$12,000 subscription fee to WEROC In., that is normally incorporated into the Annual Budget.

### Officer Recommendation and Council Decision

*74/2020*

*Moved Cr Cobden/Seconded Cr Rose*

*That Council incorporates an annual contribution of \$12,000 as a member Council of WEROC Inc., in the Shire of Yilgarn's Draft 2020-2021 Budget.*

**CARRIED BY ABSOLUTE MAJORITY (7/0)**

## 9.1 Officers Report – Chief Executive Officer

### 9.1.2 Community Strategic Plan 2020-2030

<b>File Reference</b>	<b>1.1.12.4</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Attachments:</b>	<b>Draft Community Strategic Plan 2020-2030</b>

#### Purpose of Report

To present to Council for consideration the Draft 2020-2030 Community Strategic Plan for adoption.

#### Background

At the April 2020 Ordinary meeting the 2020-2030 Draft Community Strategic Plan was submitted to Council for consideration. The presentation of the Draft Plan followed the conduct of a Community Survey in late 2019 and the conduct of a Community Workshop in February 2020.

At the April 2020 meeting the following was resolved:-

**39/2020**

***Moved Cr Rose/Seconded Cr Shaw***

***That Council endorses the content of the Draft Community Strategic Plan 2020-2030 and advertises the Plan calling for public comment prior to it being re-presented to Council for final adoption at the June 2020 Ordinary meeting.***

**CARRIED (7/0)**

#### Comment

Advertisements appeared in *Crosswords* edition of 30 April and 28 May 2020 advising the community that the Draft Plan had been prepared and seeking comments/submissions in relation to the document prior to Friday, 5 June 2020. The advertisement and the Draft copy was also included on Councils webpage for viewing by residents.

At the close of the comments/submission period, none were received and therefore the Plan is re-presented to Council in its original Draft form for adoption.

## Statutory Environment

### *Local Government Act 1995*

#### **5.56. Planning for the future**

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

### *Local Government (Administration) Regulation 1996*

#### **19C. Strategic community plans, requirements for (Act s. 5.56)**

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
  - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
  - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
  - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.

\*Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.

- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

### **Strategic Implications**

Shire of Yilgarn Strategic Plan 2016-2026 – Civic Leadership – Dynamic and visionary leadership guiding our community into the future.

### **Policy Implications**

#### **Council Policy 6.7 – Community Engagement Policy**

##### **DEFINITIONS**

Community – those who live, work or recreate in the Shire of Yilgarn.

Community engagement – is any process “that involves the public in problem solving or decision-making and uses public input to make decisions”. (IAP2)

Community engagement may refer to a range of interactions of differing levels of engagement between the Shire and the community, including;

- Information sharing processes, to keep the community informed and promotes understanding.
- Consultation processes, to obtain feedback.
- Involving community members consistently throughout the process to ensure community concerns and aspirations are understood and considered.
- Collaborating with community members in each aspect of the decision-making process.
- Empowering the community.

The Shire of Yilgarn is committed to strengthening the Shire through effective community engagement to share information, gather views and opinions, develop options, build consensus and make decisions.

Community engagement assists the Shire of Yilgarn to provide good governance and strong leadership, delivering better decisions to guide the Shire’s priorities into the future.

This policy does not negate the requirement of the Shire to comply with statutory obligations.

The following principles apply to community engagement undertaken by the Shire of Yilgarn;

<b>Focus and commitment</b>	<b>1</b>	The purpose of each community engagement will be clearly scoped to determine how the engagement will add value to the Shire's decision-making process.
	<b>2</b>	Each community engagement will be planned to clarify the level of influence the participants will have over the decision they are being invited to comment on or participate in. The person or body who is responsible for the final decision will be notified.
	<b>3</b>	The Shire is genuinely open to engaging with the community and committed to using a range of appropriate engagement methods.
<b>Transparency and openness</b>	<b>4</b>	All community engagement processes will be open and transparent.
	<b>5</b>	Comment will be documented and analysed.
	<b>6</b>	The Shire will seek to understand the concerns and interests of all stakeholders and provide opportunities for participants to appreciate each other's perspectives.
<b>Responsiveness and feedback</b>	<b>7</b>	The Shire will advise participants of progress on issues of concern and provide feedback in a timely manner on the decision made and the rationale for the decision will be communicated where necessary.
	<b>8</b>	The best interest of the community will prevail over the individual or vested interests.
<b>Inclusiveness, accessibility and diversity</b>	<b>9</b>	Persons or organisations affected by or who have an interest in a decision will have an opportunity to participate in the community engagement process.
	<b>10</b>	Community engagement process will be open to all those who wish to participate.
<b>Accountability</b>	<b>11</b>	The Shire will seek community engagement to enhance its decision-making, however, where the Shire is responsible and accountable for a given matter, it will accept its responsibility to make the final decision and provide leadership.
<b>Information</b>	<b>12</b>	Appropriate, accessible information will be available to ensure participants are sufficiently well informed and supported to participate in the process.
<b>Timing</b>	<b>13</b>	Community engagement will be undertaken early enough in the process to ensure that participants have enough time to consider the matter at hand and provide meaningful feedback.
	<b>14</b>	All engagement processes will have timeframes that will be made clear to participants and adhered to by the Shire.

<b>Resources</b>	<b>15</b>	The Shire will allocate sufficient financial, human and technical resources to support community engagement.
<b>Evaluation</b>	<b>16</b>	The Shire will monitor and evaluate processes to ensure the engagement being undertaken is meeting planned outcomes.

### Financial Implications

Nil

### Officer Recommendation and Council Decision

*75/2020*

*Moved Cr Close/Seconded Cr Rose*

*That Council adopts the Shire of Yilgarn Community Strategic Plan 2020-2030 as presented and acknowledges that in the course of the public advertising period calling for comments/submissions to the Draft Plan's contents, no comments/submissions were received in relation to the Draft document.*

**CARRIED BY ABSOLUTE MAJORITY (7/0)**

## 9.1 Officers Report – Chief Executive Officer

### 9.1.3 Withdrawal of Caveat and Placement of Council Seal

<b>File Reference</b>	<b>8.1.1.11 &amp; 1.1.12.1</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To inform Council, and to seek retrospective approval, of the actions taken by the Shire President and CEO in the Withdrawal of an historic Caveat on Lot 559 Moorine South Road.

#### Background

The owner of Lot 559 Moorine South Road, Mr M J Symes, was in the process of disposing of the property when it was found that a Caveat existed on the Title in the name of the Shire of Yilgarn. To enable the sale of the land to proceed, the Caveat was required to be removed/withdrawn.

#### Comment

The Caveat was placed on the Title in 1978 for reasons unknown, but it was presumed it would have related to financial assistance at the time in relation to provision of power to the property. There were no outstanding payments to the Shire of Yilgarn by the owner and all rates had been paid in full. Obviously there had been an error on the Shire of Yilgarn's behalf in not withdrawing the Caveat when the outstanding monies were recovered.

To enable the Caveat to be withdrawn, the Shire President and CEO were required to sign and place the Shire of Yilgarn's Common Seal on a Withdrawal of Caveat Form in accordance with the *Transfer of Land Act 1893* as amended.

#### Statutory Environment

Nil

#### Strategic Implications

Nil

#### Policy Implications

Nil

### Financial Implications

Nil.

### Officer Recommendation and Council Decision

*76/2020*

*Moved Cr Nolan/Seconded Cr Guerini*

*That Council endorses the actions of the Shire President and CEO in removing the historic Caveat on Lot 559 Moorine South Road and signing and sealing the Withdrawal of Caveat Form in accordance with the Transfer of Land Act 1893 as amended.*

**CARRIED (7/0)**

## 9.1 Officers Report – Chief Executive Officer

### 9.1.4 Local Government Professionals WA – Local Government Membership

<b>File Reference</b>	<b>1.6.13.1</b>
<b>Disclosure of Interest</b>	<b>None</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

To submit to Council the proposal for the Shire of Yilgarn taking our membership with Local Government Professionals WA under their newly revamped Membership Scheme.

#### Background

For many years Local Government Professionals Western Australia (LGPWA), and its predecessor LGMA, have made available to Local Governments the ability to have Corporate Membership of the Association.

As a means of reinvigorating membership of Local Governments to LGPWA, a review of its membership was recently undertaken and a new Local Government Membership Package has been introduced.

#### Comment

The following new Membership Packages are available:-

<b>Bronze – Band 4 LG only</b>	<b>Silver</b>	<b>Gold</b>
\$500 (+GST)	\$2,000 (+GST)	\$3,000 (+GST)
1 Affiliate/Young Professionals Membership	2 Affiliate/Young Professionals Membership	1 Full Membership 2 Affiliate/Young Professionals Membership
10% Discount to all programs/events/conferences (up to 2 registrations)	15% Discount to all programs/events/conferences (up to 2 registrations)	20% Discount to all programs/events/conferences (up to 2 registrations)
1 attendee to Better Practice Forum	2 attendees to Better Practice Forums	3 attendees to Better Practice Forums
No access to training credits	No access to training credits	Access to \$200 training credits (Only valid during the financial year)
20% contribution to local branch	20% contribution to local branch	20% contribution to local branch

The preferred choice for the Shire of Yilgarn would be the Silver Membership category. It provides benefits to staff in that 2 Affiliate Memberships can be sourced with discounts to programs/events /conferences. Also, of the \$2,000 Membership fee, \$400 is passed onto the LGPWA Wheatbelt Branch to enable it to conduct courses locally and provide scholarships to young professionals in the Wheatbelt area.

#### **Statutory Environment**

Nil

#### **Strategic Implications**

Shire of Yilgarn Strategic Community Plan 2016-2026 – Civic Leadership – A community that respects and values Council staff and elected members – ensure adequate training programs for elected members and staff.

#### **Policy Implications**

Nil

#### **Financial Implications**

Provision of \$2,000 Local Government LGPWA Membership in 2020-2021 Budget.

#### **Officer Recommendation and Council, Decision**

*77/2020*

*Moved Cr Cobden/Seconded Cr Guerini*

*That Council allocates in its 2020-2021 Budget an amount of \$2,000 for Silver Membership of the Local Government Professionals WA as a way to provide additional benefits to Council staff that are not normally afforded the opportunity of participating in LGPWA programs, events and conferences.*

**CARRIED BY ABSOLUTE MAJORITY (7/0)**

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.1 Financial Reports

<b>File Reference</b>	<b>8.2.3.2</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Financial Reports</b>

#### Purpose of Report

To consider the Financial Reports

#### Background

Enclosed for Council's information are various financial reports that illustrate the progressive position of Council financially on a month-by-month basis.

The following reports are attached and have been prepared as at the 31 May 2020.

- Rates Receipt Statement
- Statement of Investments
- Monthly Statement of Financial Activity
- Own Source Revenue Ratio

Councillors will be aware that it is normal practice for all financial reports to be indicative of Council's current Financial Position as at the end of each month.

#### Comment

Nil

#### Statutory Environment

Local Government (Financial Management) Regulations 1996 Regulation 34(i)(a) and Regulation 17.

#### Strategic Implications

Nil

#### Policy Implications

Nil

### Financial Implications

Nil

### Officer Recommendation and Council Decision

*78/2020*

*Moved Cr Rose/Seconded Cr Shaw*

*That Council endorse the various Financial Reports as presented for the period ending 31 May 2020*

**CARRIED (7/0)**

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.2 Accounts for Payment

<b>File Reference</b>	<b>8.2.1.2</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Accounts for Payment</b>

#### Purpose of Report

To consider the Accounts for Payment

#### Background

Municipal Fund – Cheque Numbers 40909 to 40920 totalling \$83,930.24, Municipal Fund-EFT Numbers 10079 to 10181 totalling \$1,361,247.58, Municipal Fund – Cheque Numbers 1616 to 1627 totalling \$186,870.79, Municipal Fund Direct Debit Numbers 14687.1 to 14687.11 totalling \$18,726.49, Municipal Fund Direct Debit Numbers 14714.1 to 14714.11 totalling \$18,464.53 Trust Fund 402508 to 402514 totalling \$20,261.36 and Trust Fund – Cheque Numbers 6231 to 6234 (DPI Licensing) totalling \$36,729.00 are presented for endorsement as per the submitted list.

#### Comment

Nil

#### Statutory Environment

Sections 5.42 and 5.44 of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996, Regulation No 12 and 13

#### Strategic Implications

Nil

#### Policy Implications

Council has provided delegation to the Chief Executive Officer to make payments from the Shire of Yilgarn Municipal, Trust or another Fund.

#### Financial Implications

Drawdown of Bank funds

### Officer Recommendation and Council Decision

**79/2020**

***Moved Cr Nolan/Seconded Cr Rose***

***Municipal Fund – Cheque Numbers 40909 to 40920 totalling \$83,930.24, Municipal Fund-EFT Numbers 10079 to 10181 totalling \$1,361,247.58, Municipal Fund – Cheque Numbers 1616 to 1627 totalling \$186,870.79, Municipal Fund Direct Debit Numbers 14687.1 to 14687.11 totalling \$18,726.49. Municipal Fund Direct Debit Numbers 14714.1 to 14714.11 totalling \$18,464.53. Trust Fund 402508 to 402514 totalling \$20,261.36 and Trust Fund – Cheque Numbers 6231 to 6234 (DPI Licensing) totalling \$36,729.00 are presented for endorsement as per the submitted list.***

**CARRIED (7/0)**

## 9.2 Reporting Officer– Executive Manager Corporate Services

### 9.2.3 Long Term Financial Plan 2020/21 – 2029/30 Review

<b>File Reference</b>	<b>8.2.5.6</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Attachments</b>	<b>2020/21 – 2029/30 Long Term Financial Plan</b>

#### Purpose of Report

For Council to consider adopting the revised Long-Term Financial Plan 2020/21 – 2029-30.

#### Background

In February 2009, the Minister for Local Government announced a package of statewide-ranging local government reform strategies that were aimed at achieving greater capacity for local government to better plan, manage and deliver services to their communities with a focus on social, environmental and economic sustainability.

One of the requirements was to develop and review a long-term financial plan (LTFP) that is a ten year rolling plan that informs the Corporate Business Plan to activate Strategic Community Plan priorities. From these planning processes, annual budgets that are aligned with the strategic objectives can be developed.

#### Comment

The operating income and expenditure aspects of the LTFP are primarily developed utilising a CPI increase of 1.7% for the life of the plan, however the historic percentage increase/decrease could be utilised if appropriate. All estimates can be manually adjusted were appropriate to reflect a realistic valuation for the income or expenditure item.

Rate income is calculated utilising a 0% increase in year one, then a 1.5% increase for the next 4 years with the remaining 5 years being calculated on a CPI Increase.

The Forward Capital Works aspect of the LTFP has been developed in consultation with the senior management team and with Councils Asset Management Officer.

#### Statutory Environment

##### Local Government Act 1996

##### **5.56. Planning for the future**

- (1) A local government is to plan for the future of the district.

- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

*[Section 5.56 inserted: No. 49 of 2004 s. 42(6).]*

The *Local Government (Administration) Regulations 1996* Part 5 deals with Annual Reports and Planning.

### Strategic Implications

#### Strategic Goal

Civic Leadership

#### Strategic Outcome

A trustworthy and cohesive Council that functions efficiently and effectively to meet the needs of our community.

### Policy Implications

There are no policy implications as a result of this report.

### Financial Implications

There are no immediate financial implications as a result of this report however if adopted will inform the creation of the 2020/2021 Budgeted.

### Officer Recommendation and Council Decision

*80/2020*

*Moved Cr Rose/Seconded Cr Shaw*

*That Council*

- 1. Adopt the Long-Term Financial Plan 2020/21 – 2029-30 as presented; and*
- 2. Authorise the issuing of a local public notice of the reviewed plan as per the requirements of the Local Government Act 1995*

**CARRIED BY ABSOLUTE MAJORITY (7/0)**

### 9.3 Reporting Officer– Executive Manager for Infrastructure

#### 9.3.1 Regional Road Group Five Year Road Construction Program

<b>File Reference</b>	<b>1.6.21.10</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>One</b>

#### Purpose of Report

Regional Road Group Five-Year Road Construction Program – 2021/2022 – 2025/2026

#### Background

Annually Council is required to review its Regional Road Group Construction Program and submit the program to the Regional Road Group if Council is to be successful in receiving road-funding grants.

Main Roads Western Australia in conjunction with Regional Road Group has requested that a five year program is submitted from each council.

Roads included in the Five Year Road Works Program, are roads identified by Council and Roads 2030 Regional Road Group Development Strategy as Strategic Routes within the Shire of Yilgarn. These roads are categorised as Regional Distributor Roads *priority "A and B"*, Local Distributor Roads *priority "B"* and Local Access Roads *priority "C"*.

All roads nominated as Strategic Routes by Councils within the Regional Road Groups are subjected to a Multi Criteria Assessment with points scored on different characteristics of road treatment types i.e. preservation or new construction, intending road type, drainage, safety, school bus routes, heavy haulage routes, alignments and traffic data. The higher the score the better the chances are of achieving maximum funding.

Traffic data is an important component of the Multi Criteria Assessment scoring system as it justifies the type of road to be constructed. Traffic data picked up by Traffic Classifiers must include Vehicle Class, Average Daily Traffic and Estimated Standard Axle.

Average Daily Traffic (ADT) is the average daily traffic in both directions determined by dividing total traffic count by duration i.e.  $ADT = 540$  (total vehicles) divided by 30 (total days) = 18 vehicles/day.

Estimated Standard Axle category is an important element of the Multi Criteria Assessment. The breakdown of AUSTRROADS Vehicle Classes data collected during traffic counts not only identifies heavy haulage routes but also calculates the axle loading on road pavement which assists with road type and pavement designs.

As shown in the table below, Regional Road Groups have adopted road standards that are appropriate for roads of regional significance, based on traffic volumes and estimated axel loadings.

Road Type	2	3	4	5	6	7
Description	Formed	Gravel	<7 metre Seal	>7 metre Seal	8 - 9 metre Seal	Sealed With passing lanes
ADT range	0 - 30	31 - 50	51 - 100	101 - 500	501 - 1000	> 1000
ESA range	0 - 5	6 - 20	21 - 40	41 - 60	> 60	> 60

If the Average Daily Traffic (ADT) and average daily Estimated Standard Axle (ESA) values apply to different road types, then the higher standard of road is adopted i.e. if a road has an ADT count of 33 and an ESA count of 22 then a road type 4 would be appropriate.

To achieve maximum value from traffic counts, traffic counts are carried out from October through to February (Peak Season) during the grain harvesting season when the movement of heavy vehicles is at a high.

### Comment

Councillors should be aware that the funding figures which are shown in the Five-Year Construction Program (Appendix 1) are subject to change. If funding figures are reduced or increased then the percent amount that the funding figures are reduced or increased will reflect on each construction/bitumen sealing programs both through the cost estimated figure and distance. This is a working document and is reviewed annually.

In the Five Year Construction Program, there is a requirement for Councils to allocate a percentage of funding to preservation works (bitumen reseals, reconstruction to same standard, unsealed shoulder refurbishment) and a percentage of funding to construction works (upgrading existing gravel roads to a sealed standard or reconstruction to a higher standard road).

In the attached Five-Year Program, averaged over the five-year period 48% has been allocated to preservation works and the remaining 52% has been allocated to construction works.

Following is an overview of roads identified under the Roads 2030 Regional Road Group Development Strategy as strategic routes which have been included in the updated Regional Road Group Five Year Construction Program.

#### **Koolyanobbing Road** (*Regional Distributor Priority A*)

Works on the Koolyanobbing Road include the continuation of upgrade to eight metre prime seal (*construction*) and bitumen resealing (*preservation works*) as shown in the attached program (2021/22 – 2025/26)

Traffic counts on the Koolyanobbing Road taken in October 2019 through to December 2019 has shown an Average Daily Traffic Count of 112 and an Estimated Daily Axle Loading of 185

#### **M40 Road (Koorda Bullfinch Road)** (*Regional Distributor Priority A*)

Works on the M40 Road include the completion of the remaining three kilometers second coat bitumen seal (*preservation works*) to be completed in 2022/2023 from SLK 0.00 to SLK 3

Traffic counts on the M40 taken in October 2019 through to December 2019 has shown an Average Daily Traffic Count of 63 and an Estimated Daily Axle Loading of 54

**Moorine South Road** (*Local Distributor Priority B*)

Works on the Moorine South Road include second coat bitumen seal (*preservation works*) from SLK 24.5km to 67.5km. There is also works programmed in 2023/2024 to construct to prime seal standard from SLK 64.5 – 67.5

Traffic counts on Moorine South Road taken in October 2019 through to December 2019 has shown an Average Daily Traffic Count of 68 and an Estimated Daily Axle Loading of 99

**Marvel Loch Forrestania Road** (*Local Distributor/Access Road Priority B*)

Works on Marvel Loch Forrestania Road include reconstruction of existing 6 metre bitumen seal out to a seven metre seal, these works are programmed to commence in 2024/2025

Traffic counts on Marvel Loch Forrestania Road taken in November 2019 through to December 2019 has shown an Average Daily Traffic Count of 344 and an Estimated Daily Axle Loading of 87

**Parker Range Road** (*Local Distributor/Access Road Priority B*)

Works on the Parker Range Road include second coat bitumen seal (*preservation works*) from SLK 0.0km to 18.5km. It is proposed to commenced these works in 2024/2025 Financial Year

Traffic counts on the Parker Range Road taken in October 2019 through to December 2019 has shown an Average Daily Traffic Count of 70 and an Estimated Daily Axle Loading of 87

**Frog Rock Marvelloch Road** (*Local Distributor/Access Road Priority B*)

Works on the Frog Rock Marvelloch Road include second coat bitumen seal (*preservation works*) commencing in 2025/2026 Financial Year from SLK 18km

Traffic counts on the Parker Range Road taken in October 2017 through to December 2017 has shown an Average Daily Traffic Count of 52 and an Estimated Daily Axle Loading of 39

**Statutory Environment**

Nil

**Strategic Implications**

2030 Regional Road Group Five Year Road Construction Program and Forward Capital Works Plan

**Policy Implications**

Nil

### **Financial Implications**

Funding for 2030 Regional Roadworks Programs is proportion one third Council Funding and two thirds Main Roads State Roads Funding to Local Government Agreement

### **Officer Recommendation and Council Decision**

*81/2020*

*Moved Cr Rose/Seconded Cr Cobden*

*That Council adopts the extended Five Year 2021/2022 – 2025/2026 Regional Road Group Roadworks Program as the attached Appendix one*

**CARRIED (7/0)**

# APPENDIX ONE

<b>SHIRE OF YILGARN</b>								
<b>2021/22 - 2025/26 Regional Road Group five Year Roadworks Program</b>								
Road Name	Year	SLK Start	SLK End	Length km	Work	Funding		
						Grants	Shire	Total
<b>2021/2022</b>	<b>1</b>							
Koolyanobbing Rd		14.0	17.0	3.0	Construct & prime	\$ 418,434.00	\$ 209,217.00	\$ 627,651.00
Koolyanobbing Rd		11.0	14.0	3.0	10mm Reseal	\$ 69,819.00	\$ 34,909.50	\$ 104,728.50
Moorine South Rd		24.5	38.0	13.5	10mm Reseal	\$ 302,500.00	\$ 151,250.00	\$ 453,750.00
					<b>Annual Total</b>	<b>\$ 790,753.00</b>	<b>\$ 395,376.50</b>	<b>\$ 1,186,129.50</b>
<b>2022/2023</b>	<b>2</b>							
Koolyanobbing Rd		-	2.5	2.5	Construct & prime	\$ 352,450.00	\$ 176,225.00	\$ 528,675.00
M40		-	3.0	3.0	10mm Reseal	\$ 71,200.00	\$ 35,600.00	\$ 106,800.00
Koolyanobbing Rd		14.0	17.0	3.0	10mm Reseal	\$ 71,200.00	\$ 35,600.00	\$ 106,800.00
Moorine South Rd		38.0	51.0	13.0	10mm Reseal	\$ 308,550.00	\$ 154,275.00	\$ 462,825.00
					<b>Annual Total</b>	<b>\$ 803,400.00</b>	<b>\$ 401,700.00</b>	<b>\$ 1,205,100.00</b>
<b>2023/2024</b>	<b>3</b>							
Moorine South Rd		64.5	67.5	3.0	Construct & prime	\$ 433,400.00	\$ 216,700.00	\$ 650,100.00
Koolyanobbing Rd		-	2.5	2.5	10mm Reseal	\$ 60,500.00	\$ 30,250.00	\$ 90,750.00
Moorine South Rd		51.0	64.0	13.0	10mm Reseal	\$ 314,600.00	\$ 157,300.00	\$ 471,900.00
					<b>Annual Total</b>	<b>\$ 808,500.00</b>	<b>\$ 404,250.00</b>	<b>\$ 1,212,750.00</b>
<b>2024/2025</b>	<b>4</b>							
Marvelloch Forrestania Rd		-	3.0	3.0	Construct & prime	\$ 444,200.00	\$ 222,100.00	\$ 666,300.00
Moorine South Rd		64.0	67.5	3.5	10mm Reseal	\$ 86,450.00	\$ 43,225.00	\$ 129,675.00
Parker Range Rd		-	11.5	11.5	10mm Reseal	\$ 284,050.00	\$ 142,025.00	\$ 426,075.00
					<b>Annual Total</b>	<b>\$ 814,700.00</b>	<b>\$ 407,350.00</b>	<b>\$ 1,222,050.00</b>
<b>2025/2026</b>	<b>5</b>							
Marvelloch Forrestania Rd		3.0	6.0	3.0	Construct & prime	\$ 455,300.00	\$ 227,650.00	\$ 682,950.00
Marvelloch Forrestania Rd		-	3.0	3.0	10mm Reseal	\$ 75,600.00	\$ 37,800.00	\$ 113,400.00
Parker Range Rd		11.5	18.5	7.0	10mm Reseal	\$ 189,000.00	\$ 94,500.00	\$ 283,500.00
Frog Rock Marvelloch Rd		18.0	22.0	4.0	10mm Reseal	\$ 100,800.00	\$ 50,400.00	\$ 151,200.00
					<b>Annual Total</b>	<b>\$ 820,700.00</b>	<b>\$ 410,350.00</b>	<b>\$ 1,231,050.00</b>
					<b>Total</b>	<b>\$ 4,038,053.00</b>	<b>\$ 2,019,026.50</b>	<b>\$ 6,057,079.50</b>

## 9.4 Reporting Office – Executive Manager Regulatory Services

### 9.4.1 Southern Cross Waste Water Reuse Scheme – Purchase of New Filtration and Pump System

<b>File Reference</b>	<b>4.1.9.16</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Absolute Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### Purpose of Report

Council considered the replacement of the Shire's current Waste Water Reuse Scheme water treatment and pump system on the 16 April 2020 at the Ordinary Council Meeting. Council resolution was to leave the item on the table and considered at a later ordinary Meeting of Council pending further information sought by senior management.

Council had concerns with the design and capability of the filtration unit and the use of chlorine gas as a disinfectant in the water treatment process, in particular with effectiveness and safety in its use.

#### Background

The proposed new system utilising media (graded sand) filtration and disinfection is not unlike the existing system. The new system will simply have a greater capacity by doubling the size of the media filtration pods and the addition of a primary media filtration pod. The use of liquid hydrogen peroxide will act as a mild flocculent to assist in suspended solid reduction and disinfection prior to the secondary filtration system. Following the secondary filtration and just prior to pumping to the storage tanks at the oval chlorine gas injection is used for disinfection.

The current system does not cope with the volume of water fundamentally due to the size of the filtration pods and manual back washing required daily. The treatment of the raw sewerage through the aerobic and anaerobic treatment ponds functions very well to reduce the microbial levels in the wastewater prior to disinfection. However, the level of suspended solids still requires adequate filtration to reduce the organic load to an acceptable level prior to disinfection and spreading on the turf /lawn.

Ostensibly, the use of recycled wastewater on the parks and gardens in the Shire relies on the removal of pathogenic microorganisms to an acceptable level to protect public health. The other consideration is the requirements for a quality turf or lawn by removal of certain compounds in the water that may damage the growth. Further, suspended solids at a high level have the propensity to damage the sprinkler heads by clogging them up.

The two main parameters of water quality to achieve this and compliance with licensing conditions are-

- The acceptable reduction of total suspended solids (TSS); and

- Disinfection of the water with an appropriate biocide such as chlorine.

The current system is pictured below with the exclusion of the chlorine gas bottle storage, which is housed in its own standalone small shed ensconced alongside this pump/filtration shed.



Chlorine gas is used to sanitise and achieve safe disinfection levels in the Shire wastewater reuse scheme. This method is approved by the Department of Health (DoH) has been used for many years. The use forms part of the licensing conditions and Recycled Water Quality Management Plan for the Shire of Yilgarn, endorsed by the DoH and the Department of Environment and Water Regulation DEWR.

The DoH does not stipulate the use of chlorine in the gaseous form however, it is widely utilised for the disinfection of drinking water supplies and wastewater reuse schemes throughout WA. This includes the state owned Watercorp and several private contractors responsible for the supply of water through reticulated systems in regional areas in WA.

Chlorine gas is 2 to 6 times cheaper to use than the alternatives such as liquid or solid forms of chlorine. The reason for the cost difference is the chlorine gas is 100% elemental chlorine and the alternatives have only 12.5% for sodium hypochlorite (liquid) and 65% for calcium hypochlorite (solid or granular) respectively of available chlorine to react with the organic chemical compounds.

To compare the usage volumes, the average chlorine gas bottle weighing 70kg, is equivalent to the use of 819 litres of sodium hypochlorite or 103kg of calcium hypochlorite to achieve the same elemental chlorine.

Furthermore, the liquid and solid forms have a propensity to create by products that create undesirable problems in the water post treatment. Such as hardness when using the granular calcium hypochlorite and sodium compounds when using the liquid sodium hypochlorite. The latter can be a particular problem for its intended use when watering our parks and gardens. The by products can be deleterious to the health of the garden areas.

The direct injection system for chlorine gas takes up very little space and the modern feed equipment that fits straight onto the bottle makes the gas very user friendly. The gas makes it much easier to control the even dispersal and flow of the chlorine in comparison to using the alternatives.



Notwithstanding the cost effectiveness of the gas, training for staff is compulsory for anyone that handles and changes over the bottles periodically. The Shire uses a contemporary feed

system for chlorine gas currently that will only work on a vacuum. When the vacuum is not created by the small venturi, there is no drawing of the gas through from the top of the bottle. On provision, trained staff follow the protocol, occupational health and safety risk management remains at an acceptable level when changing the bottles over..

The proposed new system also uses hydrogen peroxide, which is administered by direct injection after the first primary media filtration cell and prior to the two secondary media filtration cells. The hydrogen peroxide is safe to use at 7% and is often used in food premises as a surface sanitiser at this strength.

Hydrogen peroxide injection serves two purposes, firstly as a flocculent and a sanitiser, the former being its main purpose. In this filtration, process used as a flocculent it assists in the removal of the suspended solids prior to the wastewater entering the secondary media filtration. It also has the benefit of leaving no additional by products that the system has to deal with on top of the high organic load as in the very nature of wastewater. The hydrogen peroxide is completely broken down and oxidised in the process.

The hydrogen peroxide will oxidise any iron, manganese and or hydrogen sulphide that is present in the wastewater. These compounds will be readily removed in the secondary filtration media pods.

The hydrogen peroxide in the liquid form at 7% is relatively safe to use, with the only deleterious effects being from ingestion or eye contact.

### Comment

Chlorination has proven effectiveness against bacteria, algae and viruses with the exception of some protozoa and cysts. Using chlorine for the treatment of wastewater has proven effectiveness, particularly with the demands of a high organic load and is inexpensive.

Chlorine undoubtedly offers a highly effective way to treat wastewater. The chlorine gas form of chlorine is a clear choice for ease of administering the product and cost. The gas equipment take up very little space and the feeding equipment required for sodium hypochlorite or calcium hypochlorite in a slurry requires a metering pump.

If it is consistency and repeatability in the feed rate that is critical then gas is the best alternative. The gas is essentially 100% pure elemental chlorine and remains at that consistent dispersal until the cylinder is empty no matter how long it is stored. Sodium and calcium hypochlorite degrade as they age, releasing chlorine into the air. This can require increasing the feed rate to maintain dosage level and doing this typically requires pre or secondary mixing.

Changing the feed rate of gas systems, if required is simply a matter of adjusting a knob on the chlorinator.

Finally, on the subject of safety, statistics reveal that the form of chlorine most involved in accidents and injuries is the liquid form, sodium hypochlorite. When used as a bleach with other cleaning agents, sodium hypochlorite can burst spontaneously into flame when left to closely to a heat source, or in contact with an array of other chemicals. Further, sodium

hypochlorite can badly irritate the skin and damage the eyes. The hydrogen peroxide in the liquid form at 7% is relatively safe to use, with the only deleterious effects being from ingestion or eye contact. Along with safety protocol

The EMRS has sought two quotes as per the Shire of Yilgarn Purchasing and Tendering Policy. This included one quote from the local plumber and a quote from Aquarius Waste Water Systems. The local plumber's quote included the supply and installation of the containerised filtration unit from Aquarius whom have been approached directly by the EMRS. Aquarius have had much experience in the industry and recently involved in the installation of a very large system for wastewater reuse in Karratha with an output of 6,000 k/litres a day.

The quotes requested for the supply of a 20 foot containerised filtration and treatment system included the following terms of reference-

1. Provide a reliable wastewater treatment system that will reduce and maintain physical and aesthetic chemical parameters of the water quality as stated in the Reuse Wastewater Quality Management Plan.
2. The system must have a capacity to effectively treat 50,000 litres per day.
3. Incorporate the chlorine gas injection system (this does need to be housed in the container). It can utilise a similar housing arrangement as that currently used with our licence conditions.
4. The system will be required to pump the treated water approximately 1500 metres to storage tanks.
5. The pump system will need to be of high quality capable of withstanding oxidation from the secondary treated sewerage be serviceable and offer a lifespan commensurate with the cost.

The quote, received from Yilgarn Plumbing and Gas included a containerised filtration system, however did not have the capacity as that stated in the terms of reference and the cost was higher than that received from Aquarius. In discussion with Mr Matt Woodhouse of Yilgarn Plumbing, he stated it was preferable if the Shire purchased the filtration system direct through Aquarius and they were engaged to undertake the connection and associated works.

The quote received for a new system from Aquarius is attached for the cost of \$98,750 excluding GST.

All associated works such as disconnection and reconnection of electricity supply and plumbing work will be sourced from local contractors and are not included in the cost.

## **Statutory Environment**

*Local Government Act 1995*

and

The Shire of Yilgarn Purchasing and Tendering Policy

## Strategic Implications

Pursuant to the Shire of Yilgarn Strategic Community Plan 2016 - 2026

### ***Environment Theme:***

#### **Goal**

Protecting, utilising and enhancing our beautiful natural heritage

#### **Outcome**

Satisfaction with waste management services and recycling processes; and  
Satisfaction with sewerage services.

#### **Strategies**

Establish and maintain environmentally sound regional waste facilities to cater for the Shires long term waste disposal requirements; and

Continue to maintain current sewerage systems in accordance with licensing requirements and asset management plan; and

Continue to use recycled water for use at the Southern Cross Oval and Constellation Park.

## Policy Implications

Nil

## Financial Implications

Expenditure is to be included in the 2020/2021 financial budget allocation as a capital item for the Southern Cross Sewerage Treatment Plant.

## Officer Recommendation and Council Decision

**82/2020**

***Moved Cr Guerini/Seconded Cr Shaw***

***Council approve-***

- 1. The purchase of a containerised filtration and treatment system to replace the existing wastewater reuse system at the Southern Cross Waste Water Treatment ponds as per quote attached provided by Aquarius Wastewater Systems at a cost of \$98,750 excluding GST.***
- 2. The capital cost and associated installation to be included in the 2020/2021 budget allocation as a capital expenditure.***

**CARRIED BY ABSOLUTE MAJORITY (7/0)**

## 9.4 Reporting Office – Executive Manager Regulatory Services

### 9.4.2 Development Application – Ancillary Accommodation – Lot 1006 Burbridge Road Marvel Loch

<b>File Reference</b>	<b>3.1.3.1</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Development building and site plans</b>

#### Purpose of Report

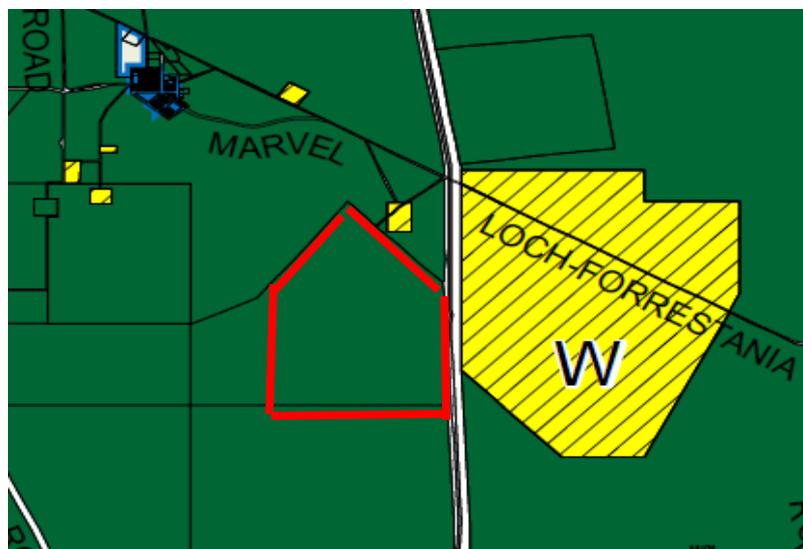
The Shire has received a development application on the 2 June 2020 requiring Council approval for a large ancillary accommodation complex. The proposed development is at Lot 1006 Burbridge Road Marvel Loch approximately 1km's south of the Marvel Loch townsite. The development is a significant project at an estimated cost of \$7 million for the accommodation site only.

#### Background

Approval was granted to the proponent for a similar development application at Lot 451 Bennett Road at the April 2020 ordinary Council meeting. This application is for "ancillary accommodation" for 99 persons with the same footprint as the previous accommodation site. These workers will be employed directly by the proponent Mineral Resources for the Parker Range mine development and operations.

Mineral Resources is currently in negotiations with the owners in anticipation to lease the property that is bordered by Burbridge Road and the Emu Proof Fence Road.

The zoning pursuant to the current Shire of Yilgarn Town Planning Scheme 2 (The Scheme), PART III – ZONES 3.1.1 is Rural/Mining zone.



The Schemes proposed land use or definition of Rural/Mining Zone is as follows-

*The Rural/Mining Zone is to be used for agricultural, residential and public recreation uses. Extractive Industry (mining) occurs widespread in the rural area of the Shire but, owing to its high impact, needs to be approved by Council after satisfactory advertisement.*

The proposed land use is a "AA" use class, pursuant to PART III – ZONES 3.2 TABLE 1 - ZONING TABLE

An "AA" means that the use is not permitted unless the Council has granted planning approval.

Council is advised the proposed Accommodation Village meets the objectives of the scheme and the current Shire of Yilgarn Strategic –Community Plan 2016 -2026. The Plan states as an economic strategy "The Shire continue to provide an efficient and effective approval process" and "Support initiatives progressed by the local business community."

The proposal for this development requires access and egress for vehicles on the Emu Fence Road, which may be subject to other heavy vehicles. It would be prudent to have the proponent meet on site to discuss any safety issues or access improvements at the crossover with the Shires Executive Manager of Infrastructure, should the development progress.

The proponent has indicated waste water will be treated on site, which will be subject to a separate application and the application will be assessed by the Department of Health

### Comment

#### **Setback Requirements**

Council is not required to make a determination on the setbacks for the Accommodation Village. The Scheme does not have any prescriptive requirements in this particular zoning for the development the proponent has put forward. Notwithstanding the scheme requirements, the proposal has generous setbacks and off site impacts will be negligible.

#### **Advertising Requirements**

Council has the discretion and may give notice of an "AA" use development application pursuant to 6.3.3 of The Scheme. If Council choose to put the application through the rigour of an advertising process The Scheme states as follows-

*Where the Council is required or decides to give notice of an application for planning approval the Council shall cause one or more of the following to be carried out:*

- a) *Notice of the proposed development to be served on the owners and occupiers as likely to be affected by the granting of planning approval stating that submissions may be made to the Council within 21 days of the service of such notice.*

- b) Notice of the proposed development to be published in a newspaper circulating in the scheme area stating that submissions may be made to the Council within twenty-one days from the publication thereof.*
- c) A sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) of this sub-clause.*

### **Statutory Environment**

Planning and Development Act 2005  
Planning and Development Regulations 2009  
Shire of Yilgarn Town Planning Scheme No 2  
Health (Miscellaneous Provisions) Act 1911

### **Strategic Implications**

Goal

A prosperous future for our community.

Outcome

Businesses in the Shire remain competitive and viable.

Strategy

Continue to provide an efficient and effective approval process and Support initiatives progressed by the local business community.

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### Officer Recommendation and Council Decision

**83/2020**

***Moved Cr Cobden/Seconded Cr Close***

***Council, approve the development application for Ancillary Accommodation (Accommodation Village) for 99 persons at Lot 1006 Burbridge Road Marvel Loch, subject to the following conditions:***

- 1. The proponent is to make application to the Shire for approval of the onsite treatment of effluent and comply with the Health (Miscellaneous Provisions) Act 1911.***
- 2. Council's Executive staff liaising with the proponent regarding traffic management and road upgrade or cross over issues in the immediate area pertaining to the development.***

**CARRIED (7/0)**

## 9.4 Reporting Officer– Executive Manager Regulatory Services

### 9.4.3 Lease Agreements for 11 Antares Street, Southern Cross

<b>File Reference</b>	<b>2.4.1.26</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>CONFIDENTIAL - Lease Agreements</b>

#### Purpose of Report

To ratify the lease agreements with the two proposed lessees of 11 Antares Street Southern Cross.

#### Background

The September 2019 resolution from Council endorsed the disposal of property at 11 Antares Street compliant with the process pursuant to *Section 3.58 Disposing of Property of the Local Government Act 1995*.

The valuation and tender requirements as per the legislation were adhered to and the lessees are ready to proceed with their leases commencing 1<sup>st</sup> July 2020.

The lessee's details are as follows-

1. Ms Sandy Ciabbarri                      Unit A                      \$1547.50 annual 12 month lease term;
  
2. The Perth Anglican Diocese   Unit C & D                      \$2401.75 annual 60 month lease term

The lease agreement stipulates the rent is payable in advance and future increases are as per CPI, which the Council has the opportunity to waive.

#### Comment

There is no proclamation from Council offering extended lease options with the lessees beyond the lease duration stated above. On provision the current lessees are complying with the lease agreement conditions, they can enter into negotiation to extend the lease in 12 month tenure agreements.

#### Statutory Environment

*Local Government Act 1995*

*Part 3 Functions of local governments*

*Division 3 Executive functions of local governments*

### Strategic Implications

**Goal**

A prosperous future for our community.

**Outcome**

Businesses in the Shire remain competitive and viable.

**Strategy**

Continue to provide an efficient and effective approval process.

### Policy Implications

N/A

### Financial Implications

Nil

### Officer Recommendation and Council Decision

**84/2020**

***Moved Cr Guerini/Seconded Cr Nolan***

***That Council ratify the lease agreements as attached between the Shire of Yilgarn (Lessor) and-***

- 1. Ms Sandy Ciabbarri (Lessee) for Unit A 11 Antares Street Southern Cross; and***
- 2. The Perth Anglican Diocese (Lessee) for Units C & D 11 Antares Street Southern Cross.***

**CARRIED (7/0)**

## 10 APPLICATION FOR LEAVE OF ABSENCE

Nil

## 11 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

## 12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

**85/2020**

***Moved Cr Guerini/Seconded Cr Close***

***That the new business be accepted for consideration***

**CARRIED (7/0)**

### 12.1 Koolyanobbing Mining Tenement – Application for Miscellaneous Licence 77/319

<b>File Reference</b>	<b>3.2.1.9</b>
<b>Disclosure of Interest</b>	<b>Nil</b>
<b>Voting Requirements</b>	<b>Simple Majority</b>
<b>Attachments</b>	<b>Nil</b>

#### **Purpose of Report**

Council has received correspondence from the Department of Mines, Industry Regulation and Safety Resource Tenure (DMIRS) requesting comments and recommendation regarding a mining miscellaneous licence application.

The written consent required by the applicant (Yilgarn Iron Pty Ltd) from the Minister for Mines and Petroleum to carry out mining activities is pursuant to Sections 23 to 26 of the *Mining Act 1978*.

#### **Background**

Yilgarn Iron Pty Ltd has made application to DMIRS for a miscellaneous licence 77/319 that falls largely in the Gazetted town site of Koolyanobbing. The existing town site footprint is immediately adjacent to the area pertaining to the application although the town site is predominantly mining camp ancillary accommodation. It is separated by the town site Dowd Road

Council is advised DMIRS has put forward an endorsement and condition they wish to impose on the tenement should the Shires response be favourable. The written consent considered by DMIRS will be on proviso of the endorsement and condition as follows-

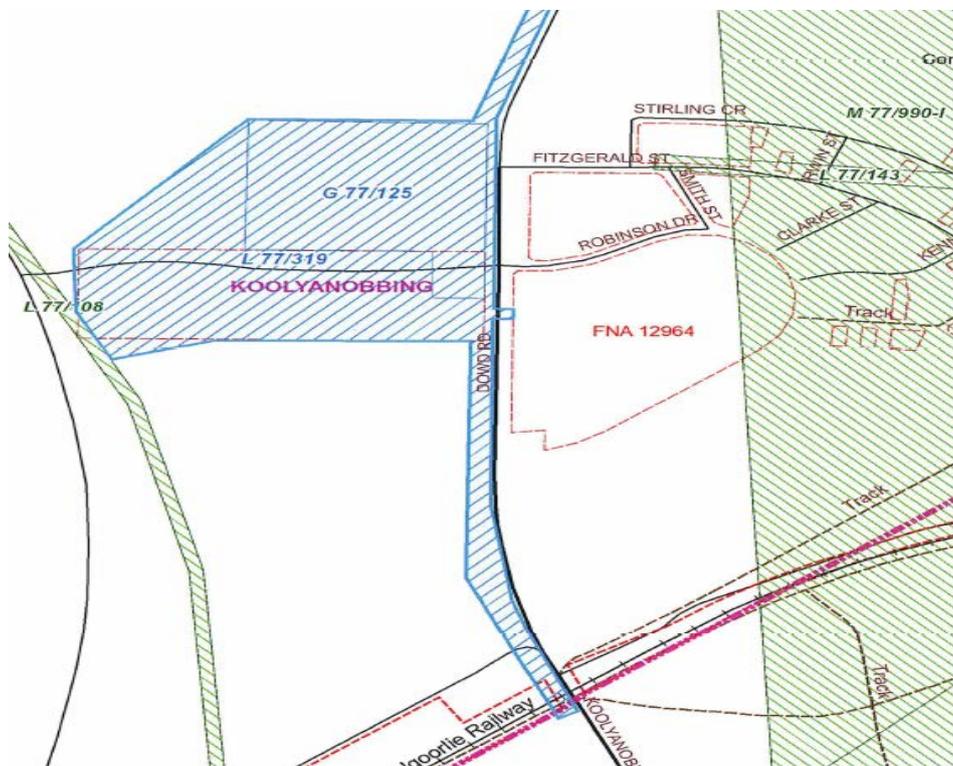
- Endorsement

The grant of the lease does not include any private land referred to in Section 29(2) of the Act except that below 30 metres from the natural surface of the land.

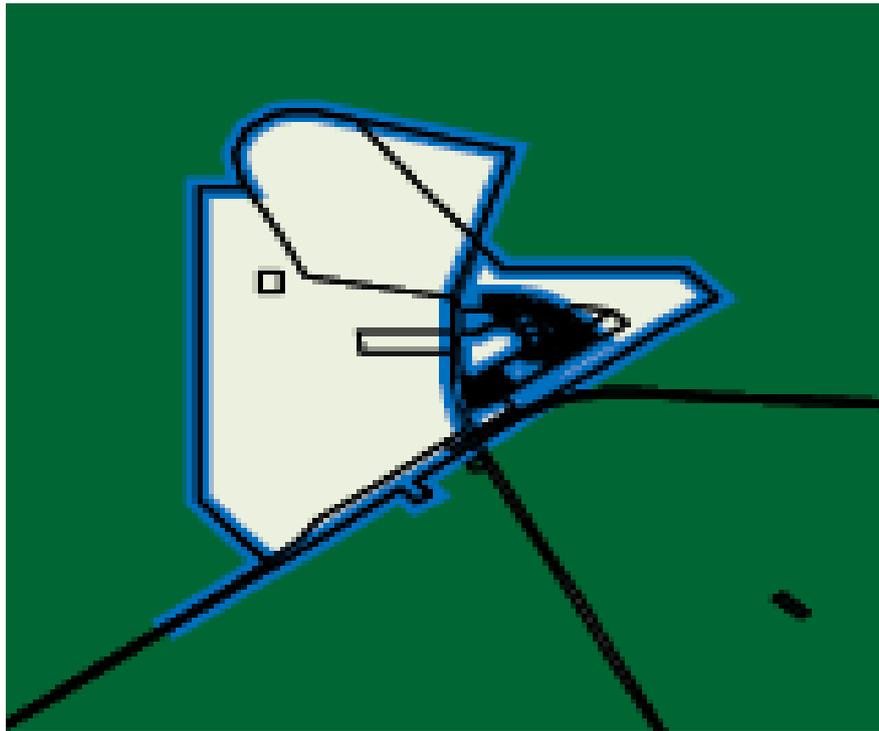
- Condition

Access to the surface of the land within Koolyanobbing town site for mining purposes being subject to the approval of the Local Authority or relevant reserve vestees and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.

The blue shaded area represents the area applied for as a miscellaneous licence.



The following extract from the Shire of Yilgarn Town Planning Scheme map depicts the area applied for delineated in blue is zoned town site.



As can be seen below the proposed area of the mining tenement has no development on it and the road Dowd Street separates the area from the existing ancillary accommodation constructed on the town site.





### Policy Implications

Nil

### Financial Implications

Nil

### Officer Recommendation and Council Decision

**86/2020**

***Moved Cr Nolan/Seconded Cr Rose***

***Council support the application for miscellaneous licence 77/319 by Yilgarn Iron Pty Ltd situated in the Koolyanobbing Town site and advise the Department of Mines, Industry Regulation and Safety as follows-***

- 3. Council supports the application and agree to the proposed endorsement and condition proposed by the Minister for Mines and Petroleum for the tenement as follows-***

***(a) Endorsement***

***The grant of the lease does not include any private land referred to in Section 29(2) of the Act except that below 30 metres from the natural surface of the land.***

***(b) Condition***

***Access to the surface of the land within Koolyanobbing town site for mining purposes being subject to the approval of the Local Authority or relevant reserve vestees and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.***

- 4. The applicant be advised any future development of the land subject to the application 77/319 including inside the gazetted town site will require approval by Council.***

**CARRIED (7/0)**

Government of **Western Australia**  
Department of **Mines, Industry Regulation and Safety**  
**Resource Tenure**

Our ref L77/319  
Enquiries Ray Lisignoli  
08 9049 1682  
ray.lisignoli@dmirs.wa.gov.au

Chief Executive Officer  
SHIRE OF YILGARN  
PO Box 86  
SOUTHERN CROSS WA 6426

Dear Sir,

(sent by email)

**APPLICATION FOR MISCELLANEOUS LICENCE 77/319  
BY YILGARN IRON PTY LTD  
SITUATED ON KOOLYANOBING TOWNSITE & RECREATION CR 33243**

Under Sections 23 to 26 of the *Mining Act 1978* (the Act) mining may be carried out on certain classes of land with the written consent of the Hon Minister for Mines and Petroleum.

In respect to townsites, the Minister for Mines and Petroleum is to first consult and obtain the recommendation of the local municipality and the Minister for Lands before he can grant consent to mine.

The Minister for Mines and Petroleum has therefore directed that I commence the consultation process and obtain your Council's comments and recommendation with regard to the impact of the application on the reserve listed above.

Should your response be favourable, could you please advise if you agree to have the following endorsement and condition imposed upon the above tenement.

Endorsement: The grant of this lease does not include any private land referred to in Section 29(2) of the Act except that below 30 metres from the natural surface of the land.

Condition: Access to the surface of land within **KOOLYANOBING** Townsite for mining purposes being subject to the approval of the local Authority or relevant reserve vestees, and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.

I have enclosed a copy and plan of the application for this purpose.

TNT-0173

Mineral House 100 Plain Street East Perth Western Australia 6004  
Telephone +61 8 9222 3333 Facsimile +61 8 9222 3862  
[www.dmirs.wa.gov.au](http://www.dmirs.wa.gov.au)  
ABN 69 410 335 356

Your reply in due course would be appreciated please.

Yours sincerely

*Ray Lisignoli*

**Ray Lisignoli** | Mining Registrar  
Resource Tenure  
12 June 2020

### 13 MEETING CLOSED TO THE PUBLIC-CONFIDENTIAL ITEMS

Nil

### 14 CLOSURE

As there was no further business to discuss, the Shire President declared the meeting closed at 4.47pm.

I, Wayne Della Bosca confirm the above Minutes of the Meeting held on Thursday, 18 June 2020, are confirmed on Thursday, 16 July 2020 as a true and correct record of the June Ordinary Meeting of Council.

**Wayne Della Bosca**  
**SHIRE PRESIDENT**